

REMARKS

In the Notice of Non-Compliant Amendment, the Examiner pointed that the text of a canceled claim had been included. The following is the corrected response to the previous Office Action.

In the Office Action the Examiner rejected claim 16 under 35 U.S.C. 112, first paragraph, for failing to comply with the written description requirement, claims 1-17 and 28-30 under 35 U.S.C. 112, second paragraph, as being indefinite, claims 1, 3-6, and 8 under 35 U.S.C. 102 for being anticipated, and claims 2, 7, 9-17, and 28-30 under 35 U.S.C. 103 for being obvious. Claims 1-10, 12-17, and 28-30 remain in the application. Claims 18-27 have been withdrawn. Claim 11 has been canceled.

The Examiner's rejection of claim for lack of compliance with the written description has been obviated by amending claim 16 to conform to the specification.

The rejection for indefiniteness in claim 11 has been obviated by canceling claim 11. The rejection for indefiniteness in claims 1, 15, and 28 has been obviated by removing the objectionable language. The other claims that were rejected for indefiniteness was for being dependent on a claim that was rejected for indefiniteness.

The rejection for anticipation of claim 1 and other claims that were dependent on claim 1 was based on Sato. Claim 1 has been amended to include "separating the area of the wafer receiving the first radiation pulse from the rest of the wafer with a shield" that is not taught by Sato. Accordingly, applicants submit that claim 1 is patentably distinct from Sato. The various rejections for obviousness and anticipation of claims dependent on claim 1 are now subject to a different analysis due to the change in claim 1.

The rejection of claim 28 for obviousness was based on Sato in combination with Kestenbaum. Kestenbaum teaches using different laser energies based on the material that is being radiated. Applicants have not been able to find anywhere in Kestenbaum that different powers are applied to the same location. Applicants have amended claim 28 to make it clear that there are two different radiation beams of different power applied to form the same deep pit. Thus, applicants submit that this is not a proper combination of references against this claim as amended. The rejection of claims 29 and 30 as dependent claims now further distinguish rendering the previous rejection moot.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any

claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Applicants believe the application is in condition for allowance which action is respectfully solicited. Please contact the below-signed if there are any issues regarding this communication or otherwise concerning the current application.

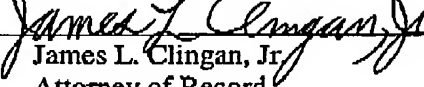
If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account 503079.

Respectfully submitted,

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